

functional characteristics, such as pharmacological properties (apamin sensitivity) and small conductance properties.

Response to Office Communication

In the April 19, 2001 response to the restriction requirement dated March 19, 2001, Applicants elected to prosecute Group II, claims 1-4, 6, 8-10, 19, 26-28, 30, 36-42, and 44-46, drawn to isolated nucleic acids encoding hSK2 and methods of use in hybridization assays. The April 19, 2001 response also noted that new claims 56-66 and 78-88 corresponded to Group II.

However, in the July 2, 2001 Office Communication, the Examiner stated that the election was confusing, as claims 56 and 57 appeared to be drawn to nucleic acids other than hSK2. In response to the Office Communication dated July 2, 2001, Applicants clarify that elected Group II, directed to hSK2, corresponds to new claims 78-88.

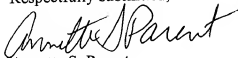
Applicants note that the foregoing election was made with traverse, as argued in the April 19, 2001 response. In particular, the claims corresponding to each individual SK gene should be examined together, without restricting the claims into individual rat and human orthologs of a gene, as follows: SK1, claims 67-77 (corresponding to Groups I and IV); SK2, claims 78-88 (corresponding to Groups II and V); and SK3, claims 89-99 (Groups III and VI). Applicants therefore respectfully request that the restriction requirement with respect to Groups I and IV, Groups II and V, and Groups III and VI, respectively, be withdrawn.

Furthermore, Applicants request that the Examiner enter new claims 56-99 and cancel claims 1-55 without prejudice to subsequent revival, as requested in the April 19, 2001 response to restriction requirement and preliminary amendment

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


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